

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
JOSEPH STEVENS & COMPANY, INC., :  
: Civil Action No.  
Petitioner, : 07 CV 3385 (BSJ)  
:  
-against- :  
:  
DAVID CIKANEK, :  
:  
Respondent. :  
:  
-----X

**DECLARATION OF MARTIN P. RUSSO  
IN SUPPORT OF APPLICATION TO VACATE**

**EXHIBIT B**



**JOSEPH STEVENS & COMPANY, INC.  
INVESTMENT BANKING**

33 Maiden Lane  
New York, N.Y. 10036  
Tel: 212-361-3000  
Fax: 212-361-3333  
800-669-9000

Account Number: W66-8505746  
Account Executive: VK5-JW

# November 2000

November 01 to November 30  
Original Statement

**Your Account Executive:**  
**LEONARD INSERRA**

JOSEPH STEVENS & COMPANY, INC.  
33 MAIDEN LANE  
NEW YORK, NY 10038  
(212) 361-3000

**IRS Reporting Status:**  
Tax identification number is on file.  
Account is exempt from backup withholding.

## Account Value

## Net Value of Your Account

result is exempt from backup withholding and IRS 1099 reporting.

**Net Value**  
**Estimated Annual Income**

	Other	Total	Other
Total Income			

DAVID M. CIKANEK, IRA R/O  
DELAWARE CHARTER TTEE  
2826 W FARGO AVE  
CHICAGO IL 60645-1240

	NOVEMBER 01, 2000	NOVEMBER 30, 2000	THIS PERIOD	THIS YEAR
			NON-TAXABLE	TAXABLE
Equities				
Money Market Funds	\$16,623.60	97.98		
Money Balances	\$343.71	2.02		
<b>Net Value</b>	<b>\$16,968.62</b>	<b>100.00</b>		
<b>Estimated Annual Income</b>	<b>\$19.96</b>			
Interest				
Total Interest				
Dividends				
Total Dividends				
Other				
Total Other Income				
Total Income				

## Schroder & Co., Inc. Monthly Statement

This statement should be reviewed carefully and preserved. If this statement contains important information that may be necessary for income tax return preparation, if this statement does not agree with your records, please notify the Schroder & Co., Inc. ("Schroder") Internal Audit Department, located at 787 Seventh Avenue, New York, N.Y. 10019-6016, indicating the nature of the discrepancy. The information contained in this statement will be considered complete and accurate unless we receive written notice to the contrary within ten days of this statement being provided to you.

Complaints concerning your account should be directed to the attention of Schroder's Compliance Director at the address noted above, or if this is an introduced account, to the Compliance

### Description of Terms

**Account Value:** The Net Value of Your Account represents the estimated net market value of the securities and cash in your account, less any short positions or money due Schroder. Unplaced securities are not reflected (see discussion of pricing below).

**Accrued Interest:** Accrued interest represents the estimated amount of interest that would be paid upon a sale of a bond. This amount is calculated from the last payment date or dated date

### General Information

**Free Credit Balances & Interest Charges:** Free credit balances in your account are not segregated from other funds of the firm and may be used in the daily operation of our business. You may request these balances at any time. The rate of interest charged is based on the current brokers call money rate as determined by reference to the call money rates on brokers loans quoted by banks in New York City. In computing interest, all cash and margin accounts are combined so that the charge is computed on the net daily balance. This is detailed in our interest charges document, distributed when an account is opened and an additional copy of which is available on request.

**Pricing:** Prices for securities are obtained from outside sources and are not guaranteed. Where prices are not readily available, estimated values are determined by using mathematical models or matrix pricing systems. Unpriced securities are identified in your portfolio details and indicate those securities in which we are unable to obtain a price. If you require a market value for these securities, please contact your account executive.

**Direct Participation Programs (DPP) and Real Estate Investment Trusts (REITS):** DPP and REIT securities are generally illiquid securities, and the value of these securities may be different from their purchase price. Any estimated value of these securities disclosed in this statement may not be realizable if you seek to liquidate these securities.

### Important Information for Introduced Clients

If Schroder is carrying your account pursuant to a written agreement with an Introducing Firm, unless and until Schroder receives written notice from you to the contrary, Schroder may accept orders from the introducing broker, without inquiry or objection, orders for the purchase or sale of securities, on margin or otherwise, or any other instructions concerning your account.

Director of the Introducing Broker identified on the front page of this statement.

( ) indicates a short position for securities or a debit balance for cash.

All statements are maintained on a "settlement date basis." Trades made during the period covered by this statement, but settling thereafter, will appear in the section detailing pending trades and when issued contracts. A financial statement of Schroder's is available for your personal inspection at its offices or a copy of it will be mailed upon your written request.

up to, but not including, the closing date of this statement. These amounts are intended to be used only as an estimate and are subject to change.

**Estimated Annual Income:** This is an annualized figure composed of interest and dividend amounts. These amounts are supplied by outside sources and, while we believe them to be accurate, are intended to be used only as an estimate. We have not verified the accuracy of this information and these figures are subject to change.

**Margin Account Information:** If this is a margin account and we maintain a special memorandum account for you, this is a combined statement of your general margin account and special memorandum account maintained for you under Section 5 of Regulation T, issued by the Board of Governors of the Federal Reserve System. The record of the special memorandum account as required by Regulation T is available for your inspection at your request.

**Option Account Information:** Details of commissions and other charges incurred in connection with options transactions was included in the confirmations of these transactions previously furnished to you. A summary is available upon request. Please notify us promptly of any changes in your investment objectives or financial situation.

**Account Protection:** Schroder is a member of the Securities Investor Protection Corporation, which provides protection of \$500,000 per customer (of which a total of \$100,000 each customer is protected up to \$100 million (of which a total of \$100,000 is for cash).

**Dividend Reinvestment Program Customers:** Dividend Reinvestment transactions were effected by Schroder acting as principal for its own account. The date and time of execution name of other party, if applicable, and details of remuneration received from other persons will be furnished on request.

Schroder is not responsible or liable for any acts or omissions of the Introducing Broker. Inquiries concerning your account should be directed to the Introducing Broker identified on this statement or to Schroder's Clearing Services Department at (212) 492-8860.

**NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC. (NASD) REGULATION PUBLIC DISCLOSURE PROGRAM:** UNDER RULES ADOPTED BY THE NASD, WE ARE REQUIRED TO PROVIDE YOU WITH THE FOLLOWING INFORMATION: (1) NASD REGULATION HOTLINE NUMBER (1-800-289-9999); (2) NASD REGULATION WEB SITE ADDRESS (WWW.NASD.COM); AND (3) AN NASD INVESTOR BROCHURE THAT INCLUDES INFORMATION DESCRIBING THE PUBLIC DISCLOSURE PROGRAM IS AVAILABLE UPON YOUR REQUEST.



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33 Malden Lane  
New York, N.Y. 10038  
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Account Number: W66-85057-46  
Account Executive: VK5-JW

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## Cash and Money Fund Balance

Opening Cash Balance	\$ .00
Money Fund Activity	
Cash Disbursed, Received, Other	\$25.00 \$368.71
Total	\$395.02 \$50.00
<b>Closing Cash Balance</b>	<b>\$420.02 \$418.71</b>
<b>Closing Money Fund Balance</b>	<b>\$1.31 \$343.71</b>

## Transaction Details

### Money Fund Activity

DATE	ACTIVITY	DESCRIPTION	QUANTITY	AMOUNT CREDITED	AMOUNT CHARGED
11/07/2000	BOUGHT	SHORT TERM INCOME FUND	25		\$25.00
11/09/2000	SOLD	SHORT TERM INCOME FUND	25	\$25.00	
11/17/2000	BOUGHT	SHORT TERM INCOME FUND	318.71		\$318.71
11/21/2000	BOUGHT	SHORT TERM INCOME FUND	25	\$25.00	
	<b>Total Amount Credited</b>			<b>\$25.00</b>	
	<b>Total Amount Charged</b>				<b>\$368.71</b>

### Cash Disbursed, Received, Other

DATE	ACTIVITY	DESCRIPTION	QUANTITY	AMOUNT CREDITED	AMOUNT CHARGED
11/03/2000	JOURNAL	TRANSFER FROM # W667000145 01 PER MEMO		\$25.00	
11/07/2000	JOURNAL	SET UP FEE		\$25.00	
11/14/2000	JOURNAL	SET UP FEE		\$25.00	
11/15/2000	JOURNAL	TRANSFERRED FROM CIBC WORLD MARKETS CORP		\$25.00	
		A/C# 67150142			
11/15/2000	RECEIVE	AVIATION HLDGS GROUP INC COM	52,500		
		TRANSFERRED FROM CIBC WORLD MARKETS CORP			
		A/C# 67150142			



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## Transaction Details (continued)

### Cash Disbursed, Received, Other

DATE	ACTIVITY	DESCRIPTION	QUANTITY	AMOUNT CREDITED	AMOUNT CHARGED
11/15/2000	RECEIVE	GLOBALNET INC COM TRANSFERRED FROM CIBC WORLD MARKETS CORP A/C# 67150142	2,200		
11/17/2000	JOURNAL	DUP FEES ADJUSTMENT 11/14/00 TRANSFERRED FROM CIBC WORLD MARKETS CORP A/C# 67150142		\$25.00	
11/30/2000	JOURNAL	RESIDUAL CR.		\$1.31	
		Total Amount Credited Total Amount Charged		\$395.02	\$50.00

## Portfolio Details

### Equities:

#### Stocks

DESCRIPTION	QUANTITY	CURRENT PRICE	CURRENT VALUE	ESTIMATED ANNUAL INCOME	DIVIDEND RATE	COMMENT
AVIATION HLDGS GROUP INC COM	52,500	.094	\$4,935.00			
GLOBALNET INC COM	2,200	5.313	\$11,688.60			
<b>Total Value of Stocks</b>			<b>\$16,623.60</b>			
<b>Total Value of Equities</b>			<b>\$16,623.60</b>			



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## Portfolio Details (continued)

### Money Market Funds

DESCRIPTION	QUANTITY	CURRENT PRICE	CURRENT VALUE	ESTIMATED ANNUAL INCOME	ANNUALIZED YIELD	COMMENT
SHORT TERM INCOME FUND	343.71	\$343.71	\$19.96	5.810%	YLD 10/16-11/15	
<b>Total Value of Money Market Funds</b>		<b>\$343.71</b>	<b>\$19.96</b>			

### Money Balances

DESCRIPTION	AMOUNT	COMMENT
CASH AMOUNT	\$1.31	

End of Statement

